



**REGULAR COMMON COUNCIL MEETING**  
**JUNE 6, 2011**  
**7:00 P.M.**

<b>Regular Meeting</b>	The Regular meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, June 6, 2011 at 7 p.m.
<b>Present</b>	Mayor Sebastian N. Giuliano, Deputy Mayor Joseph E. Bibisi; Council Members: Thomas J. Serra, Ronald P. Klattenberg, Philip J. Pessina, Gerald E. Daley, Robert P. Santangelo, Hope P. Kasper, Grady L. Faulkner, Jr., Deborah A. Kleckowski, David Bauer, and Daniel Drew; Corporation Counsel William Howard, Sergeant-at-arms Officer Matthew Freiman; and Common Council Clerk Marie O. Norwood.
<b>Absent</b>	Councilman James B. Streeto
<b>Also Present</b>	Fifty members of the public
<b>Meeting Called to Order</b>	The Chair calls the meeting to order at 7:06 p.m. and asks Councilman Bauer to lead the public in the Pledge of Allegiance.
<b>Call of Meeting Read</b>	<p>The Call of the meeting is read and accepted. The Mayor declares this call a legal call and the meeting a legal meeting.</p> <p>He states at this time a number of students are present tonight who will participate in the Mayor for a Day Program. He reads the names of the president and vice president of the Student Council at Woodrow Wilson Middle School who will shadow him; and he reads the rest of the names and which council person they will shadow for the program. He states at noon these students will conduct a mock Council meeting, just like we do here tonight and they will probably do it better. We are happy they are with us once again this year. He welcomes them to the meeting.</p> <p>The Chair recognizes Councilman Serra who asks for a Point of privilege; he states the Mayor for a Day Program started in the 1940's or 50's at the high school and then for a while it was in hiatus and in 1993, Mr. Geary took it over at the Middle School. A number of us participated in the program and that is how we became interested in this.</p>
<b>Motion to Amend Agenda</b>	Councilman Serra moves to amend the agenda by adding agenda item 8I, a School Readiness grant and to remove agenda item 10-9, LoCIP for sidewalks. Councilman Pessina seconds the motion. The vote is called and it is unanimous, with eleven aye votes by the members present and voting, to move those items forward. The Chair states the motion carries unanimously.

<b><u>Agenda Items</u></b>	<b><u>3-1 through 3-4</u></b>
<b><u>Description</u></b>	<b><u>Resolutions</u></b>

Councilman Santangelo is recognized for item 3-1; he moves to the public podium and he asks Gregory B. Sneed to come forward. Councilman Santangelo reads resolution 3-1 and moves it for approval. He thanks Acting Deputy Chief Sneed for his service to Middletown. Deputy Sneed receives applause from the public. Councilman Serra seconds the motion. The Chair states it is adopted by acclamation without objection. There are no objections. Councilman Santangelo states You have served on a lot of committees and have been an asset to the community.

Councilman Serra states he has been around and wanted to say you did a great job and it was my privilege to promote you to Lieutenant. You were always professional and god speed at my alma mater, Eastern Connecticut State University. Councilman Pessina states it is his privilege as a former employee of the Police Department, he has seen Greg grow and both of us were part of the Blue Crew. He has done a great job and when I was Deputy Chief and he was my Patrol Commander, I relied on him for his professional service. It was done with integrity and it was my honor to be at your swearing in and he was the only Deputy in the CSU system and now we have another one. He wishes him all the luck in the world and you will succeed beyond expectations.

Councilman Faulkner states he has known Greg for a long time and he is proud of him as a fellow African American. I know what it is like to be in Police offices and what I like about you is you keep your professionalism and you interact with the community and you are a role model for our young men; they need strong role models and you actually present a role for them to model. You continued your education after you got a job and a good paying job. Education takes you everywhere and he thanks him for his dedication to the community. Someone has gained. Good luck to you.

Councilman Bibisi states he had the privilege of watching Greg as a patrolman and a detective and he was under my wing and my brother took him under his wing. Behind every great police man is a great wife and she stood by him through it all and he congratulates her. Thank you.

The Chair states when I looked at your record, Mayor Garafalo hired and promoted you to Sergeant; Mayor Serra to Lieutenant; Mayor Thornton to Captain; and I promoted you to Deputy and one day as Chief. I watched you do the Deputy Police Chief's job for over a year and you would have made a great one. The State made you an offer you could not refuse. We miss you and the students at Eastern have a good friend in you and we are grateful for the time we had with you here and we always will be.

Former Acting Deputy Chief of Police Sneed thanks the Council for the resolution. He states Councilman Bibisi took my gratitude to my wife and I would not be where I am or who I am without her support; as an HR Director, she guided me and showed me the ropes. I want to thank my brother officers in Middletown. Deputy Chief Pessina said he was the first to leave and become the first Deputy Chief at Southern and I am up at Eastern and my desire and goals would be to produce an agency to make them proud and foster candidates. As far as a role model; thank you. He thanks the Mayor for working with him and the citizens here and watching; it has been my honor to serve you for the last 26 years; as far as missing you guys, I miss you already.

**Resolution No.**  
**File Name**  
**Description**  
**(Approved)**

**80-11**  
**ccsneed2011.doc**  
**Honoring Gregory B. Sneed**

**WHEREAS**, Gregory B. Sneed retired from the Middletown Police Department after over 25 years of service to its citizens; and

**WHEREAS**, he began his career as Patrolman in October, 1985; he became Detective in 1988 and served in the Family Services Unit and Major Crimes Division through July, 1992; and

**WHEREAS**, he was promoted to Sergeant of the Patrol Division in 1992, supervising 14 full-time officers; he created a Neighborhood Watch program to help reduce drugs, prostitution and gang activity in Middletown; and

**WHEREAS**, Gregory Sneed advanced to Lieutenant of the Patrol Division in March, 1995 overseeing three Sergeants as well as 17 Patrol Officers; he worked to enhance the effectiveness and efficiency of the various shifts; and

**WHEREAS**, in July, 2003, Greg was transferred to the Professional Standards Division where he organized, planned and scheduled the training of over one hundred sworn officers and civilian personnel; he researched and implemented new training venues, topics and methods; and

**WHEREAS**, Gregory Sneed was promoted to Captain in July, 2004 and served as the Professional Standards Commander; his work involved investigating issues involving officers workplace behavior or policy violations; he also had oversight of the training division including the recertification process of all civilian workers as well as sworn personnel; and

**WHEREAS**, Captain Sneed took oversight to the Patrol Division as Commander in November, 2005 which included involvement with Crisis Negotiators, Marine, SWAT, Traffic, Explorers, and Crossing Guards; he also was the liaison between the Police Department and Community Agencies and Business Owners; and

**WHEREAS**, he became Acting Deputy Chief of Police in August, 2009 and as second in command of the Police Department oversaw and supervised officers and personnel, monitored the annual budget, as well as assisting the Chief with labor relations; he responded to and resolved complaints from citizens and liaised with other City Officials, agencies, and the public; and

**WHEREAS**, Acting Deputy Chief Sneed received his Associates Degree in Criminal Justice from Tunxis Community College, his Bacheloris Degree in Public Safety Administration from Charter Oak College, graduated from the 217<sup>th</sup> session of the FBI National Academy, graduated from the FBI Law Enforcement Executive Department Association; and he is a Certified Instructor for the Connecticut Police Officers Standards and Training Council; and

**WHEREAS** he has received five letters of Commendation, five Meritorious Service Awards, two Unit Citations, and one Life Saving Award and he has worked as a DARE Instructor, Self Defense Instructor, and has been involved with Middletownis Kids Health and Safety Committee, North End Action Team Board member, Middlesex County Homeless Committee, City Hall Safety Committee and the Arrigoni Bridge Advisory Committee.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That on behalf of the Citizens of Middletown, we thank Gregory B. Sneed for

his dedicated service to Middletown and its Citizens; his loss to Middletown will be one that will be hard to replace, someone with the same dedication to excellence, professionalism and integrity; and

**BE IT FUTHER RESOLVED:** That we extend our best wishes for all his future endeavors.

**Agenda Item** **3-2**

The Chair recognizes Councilman Serra for item 3-2 a resolution. Councilman Serra moves to the public podium and asks Mark Masselli to come forward. Councilman Serra states he takes a personal privilege from the spirit of the resolution he will read and there is someone from Florida visiting and calls former Councilman John Robinson forward. John states your honor Mayor and fellow colleagues I am the happiest man in the world. Today is five years to the day I retired from the Council and went to Florida. I missed you all, but I am having a great time, I feel younger and I have no grey hair and love coming back and seeing you doing the good work of the City. Congratulations to you all and keep up the good work.

Councilman Serra states it is his privilege to read this resolution; he moves it for approval and is seconded by Councilman Pessina. The Chair states it is adopted by acclamation if there are no objections. There are none.

Councilman Serra states he thought Mark would come in with bell bottoms and long hair. He was going back to the time he first met Mark, the late 70's with the Community Health Center and it is now all over the State of Connecticut. He has the compassion to serve our citizenship and we are sorry to lose you but we know you are doing a yeoman's work at the Health Center.

Mark Masselli states he has known Greg Sneed for 26 years and what a leader in our community. There are no greater officers on the force than Greg. You could communicate with anyone at anytime. He states to Julia and Jessica shadowing the Mayor and the others, but if you get a chance, shadow a citizen volunteer in Middletown. He ran into Welles Guilmartin and he was waxing poetically about his service on the Parking Advisory Committee and kept me there talking about his service with the Parking Authority and the transformations going on. I think about Lee Osborne; he was my old walking partner. I don't know what Middletown Housing addition he was on but he served countless hours. He transformed the school. I think about my wife the way Greg thinks about his and when our first was born, she was on Planning and Zoning and she would come with him to meetings. This is a community that is open for citizens to be involved and the leaders like that. The sense of community engagement lets you know you can make a difference. Think about the small bit you can do as a volunteer on any one of those committees. It is exciting and rewarding and on behalf of all volunteers, they deserve it and I am happy to receive this. He receives applause from the members of the public present at the meeting

Councilman Pessina states he wanted to reflect on the early 70's when he joined the Police Department, there was a young man before his time for the advocacy for the less fortunate and I watched this young man grow. You had the courage to step forward with Rev. Moses and the great work you started and some of us questioned where you were going with this, but your work and service has turned ten fold. For all the people, the residents in the north end, Roosevelt Drive and all the housing and those who did not have medical services, you stepped forward as an advocate. You are truly a role model; keep up the good work.

The Chair states you made the Housing Authority a role model for other housing authorities. There are a lot of people who can look back at your contributions and we thank you.

Resolution No.	File Name	Description (Approved)
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**81-11**  
**ccmasselli2011.doc**  
**Honoring Mark Masselli.**

**WHEREAS**, Mark Masselli, raised in Middletown, attended local schools, CEO of the Community Health Center, Inc., and active volunteer in Middletown, retired from the Middletown Housing Authority Board after 20 years of service; and

**WHEREAS**, Mark, was first appointed to the Authority in 1991 and has served as its Chair for over seventeen years, overseeing 1,500 units of low income housing in the City of Middletown; and

**WHEREAS**, he has been the catalyst of change for the City's low-income housing by reducing the density of the housing as well as creating neighborhoods by revamping what housing projects should look like and adding single family housing ownership into the mix; and

**WHEREAS**, he worked with local leaders and advocated for a housing complex for the hearing impaired; Monarca Place has been built to allow the hearing impaired can live an independent life and feel secure in their home; and

**WHEREAS**, Mark has worked to improve and enhance the quality of life for people through his efforts not only with the Housing Authority, but also through the Community Health Center, Inc. whose primary goal is health care services for the uninsured or underinsured; and

**WHEREAS**, he was a founding member of the New Horizons Battered Shelter for Women, Nehemiah Housing Corporation, and Oddfellows Youth Playhouse and has served on various Commissions, Committees, Boards and Agencies.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That on behalf of Middletown's Citizens, we thank Mark Masselli for his dedicated service to Middletown and the issues of housing and health care; his attention and concern for the welfare of others as well as his interest in a better world for all, is one that we should all emulate; and

**BE IT FURTHER RESOLVED:** That we offer to him our best wishes for success in all his future endeavors.

**Agenda Item** 3-3

Councilman Drew moves to the public podium and invites Michael Awdziejewicz and the DECA students to come forward. Councilman Drew reads the resolution and moves it for approval; his motion is seconded by Councilman Serra. The Chair states the matter is adopted by acclamation.

Councilman Drew offers his congratulations on the incredible achievement and putting Middletown on the State and national level profiles. Thank you.

Michael Awdziejewicz states this is his last time and he will be retiring his post as deputy advisor of DECA. He thanks the Council for over 30 years of support of this program. When he came, the program was nonexistent. It is the best program in Connecticut. He thanks Councilman Serra who sat on the Board for 4 or 5 years. He thanks Mayor Giuliano for coming to the events. He thanks Councilwoman Kleckowski who has been on the Board for over 15 years. He states she has gone far beyond anyone on the Advisory Board. For a number of years, she is the Tech Coordinator for career pathways at Middlesex. Through the program, students gained college credits; 42 students received 3 credits for marketing. She always has money available through grants to help students go to these competitions with transportation costs. He thanks Councilman Drew for supporting the program. His president and vice president are at UConn at orientation and introduces the two officers with him, Michele Lau and Marissa Rodo. They are involved with 50 hours of service and both going to college and involved with other activities. The competitions opened other avenues for them. Thank you.

Councilwoman Kleckowski asks if the girls could say a few words; She thanks Mr. Awdziejewicz and says we congratulate you and we look forward to working with you in another capacity. She thanks the students for their hard work. The students thank the Council and public for their support.

Councilman Serra states Michael you were like the UConn women and winning the prize. Congratulations as the advisor and the students show the type of leader you are and he hopes it will continue. The Chair states I don't know if Michael remembers how we met. His dad was the sheriff that I used in the Meriden area and I know one night your students were doing service at a rehab center and he had a bunch of lawyers go and help. I didn't know what DECA was and I learned what it is and it is an impressive course of study and no one has done it better than you with your 30 years. Your team is always in the finals. The number of your graduates who went on to do good things, this is a terrific program. He thanks the school system for supporting it and mentions that Barbara Seneges is present and thanks the administration for supporting this. A lot goes into making a success and it is from the administrators, to you and the students who deserve recognition for what has been done. Thank you.

**Resolution No.**  
**File Name**  
**Description**  
**(Approved)**

**82-11**  
**ccdecateam2011.doc**  
**Honoring the Middletown High School DECA Team.**

**WHEREAS**, the Middletown High School DECA team had thirty-four students win awards at the State DECA Competition, and fifteen members of the team attended the National Competition in Orlando, Florida to compete against the best DECA students in the Nation; and

**WHEREAS**, DECA students were in events related to Marketing, Management, Entrepreneurship, and Finance and Elizabeth Fraulino, Rachel Kantrowitz, Ava DelMastro, Miriam Charry, Quian Callendar, Nathan Carman, Dan McAlear, Marisa Rodo took First Place awards; Tyler McDonald Megan Camp, Brittany Pieta, and Annie Yang took Second Place awards; Bopha Nou, Emily Hatfield, Kaitlyn Pearce, Greg Thomas, Logan Reich, Michele Lau, Garrett Rice-Earl, took Third Place awards; and the Top Six Medalists were Lily Smith, Victoria

Alderman, Luka Augieri, Kenneth Boyd, Amber Drew, Sharon Richards, Dylan LaVoie, Aaron Rosenbloom-Snow; Zoe Kaplan, Shelby Marchese, Reba Stanley, Brailey Williams, Tricia D'onofrio, Amber Wolfram, and Laura Turnage; and

**WHEREAS**, the students work during their Junior and Senior years taking retailing and marketing classes and have the opportunity to enter the competition in one of numerous areas of contest in business; the DECA students prepare for the competition after the normal school day; and

**WHEREAS**, teachers Michael Awdziejewicz and David Reynolds advise the students and critique their projects to help each student succeed in this competition, especially their communication skills; Michael Awdziejewicz has mentored his students as DECA Advisor for 30 years; and

**WHEREAS**, the national competition includes a written test and they compete in various challenges, including receiving a scenario in which they have 25 minutes to present their plan to the judges who are marketing professionals; and

**WHEREAS**, six students received a National Certificate of Merit in their specific testing areas.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we congratulate the DECA Team for their outstanding work, culminating in a new Middletown High School and State of Connecticut record of 34 awards won by one team at the State DECA Competition; we applaud these students for their accomplishments, gained through their own work ethic and efforts; we are proud of their achievements and success as ambassadors of Middletown; and we wish all the students success in their future endeavors; and

**BE IT FURTHER RESOLVED:** That we thank Michael Awdziejewicz and David Reynolds who offer their time, knowledge and encouragement so that every student has the opportunity to succeed.

**Agenda Item** 3-4

Councilman Daley reads agenda item 3-4 for approval. He states he is pleased to meet Zak and congratulates him on his achievement, receiving the rank of Eagle Scout. Councilman Daley moves it for approval and is seconded by Councilman Serra. The Chair states the matter is adopted by acclamation.

Councilman Daley congratulates Zachary Newton. Mr. Newton thanks the Mayor, Councilman Serra, Bibisi, and Daley and all the Council members. It is an honor to be here and thanks. It means a lot that the City recognizes the honor being bestowed upon me. I will be on the staff of the National Youth Leadership and will be training 80 scouts, teaching basic leadership skills for them to bring back to their troops and he will be attending Eastern CT. State College in the Fall. Thanks everyone again.

Councilman Faulkner congratulates Zachary; I had the pleasure to speak with your Dad over Memorial Day. I love young people and to the young man who says I saw them put something up and I thought it needed something else and then went out and did something. That is what I want to see. We need to create the environment for them to do that. He congratulates him and his family. Scouts were not on his radar growing up and we need more youth organizations that set standards so they can strive for those standards and they can come back and we can recognize them.

Councilman Serra states Deputy I don't think you will have a problem with this person; as a former Vice Principal and Principal and Mayor, I have given seen many Eagle Scout awards and I know how much work you have done and it is an honor to honor you.

The Chair states congratulations and I will see you at your Court of Honor on Sunday. Seeing someone achieve Eagle Scout says a lot. It puts you in an elite group. You can see things through and it will serve you. Congratulations and bask in the glory for a while and then move on to something else.

**Resolution No.**  
**File Name**  
**Description**  
**(Approved)**

**83-11**  
**ccnewton2011.doc**  
**Honoring Zachary Newton upon attaining the rank of Eagle Scout.**

**Whereas**, Zachary Newton, resident and a member of the Connecticut Rivers Council, Troop 16 will be awarded the highest honor in Boy Scouts, the rank of Eagle Scout; and

**WHEREAS**, Zak is a graduate of Xavier High School where he was an Honor Roll Student, member of the Concert Band and Rifle Team; his service, during his senior year, was to a 4<sup>th</sup> grade class at Farm Hill School; and he is a Westfield Fire Department Junior Volunteer Firefighter; and

**WHEREAS**, Zachary began scouting as a Tiger Cub and is now a Life Scout; he worked diligently, gaining proficiency in many skill areas including safety, first aid, CPR, camping, swimming, and other areas of interest and he has earned over 30 merit badges; and

**WHEREAS**, Zak has embodied the Scout Promise and Law and has become a Brotherhood Member of the Order of the Arrow, has attended Boy Scout National Youth Leadership Training and has served as a Den Chief, Patrol Leader, and Junior Assistant Scoutmaster; he has been

active in his Church as an Altar Server, Peer Minister, Eucharistic Minister, as well as teaching Catechism to First and Second graders; he volunteered to do manual Labor with his Church in Kentucky, as well as serving as the Saint Pius X Parish Council Youth Representative; and

**WHEREAS,** Zachary began working on the Eagle Scout award which demonstrates Scout spirit, service, and leadership in September, 2010; for his service project, he planned and developed the Saint Pius X Peace Pole Enhancement Project where he created a walkway/patio around the existing Peace Pole as well as adding benches; his goal was to create an area that would allow for personal and group reflection for parishioners or visitors looking for a quiet area for prayer and meditation; he also worked with volunteers to spruce up the gardens in and around the Church and Friary; and

**WHEREAS,** he began fundraising for the materials and organizing local businesses to help implement the project; in January, 2011, his project was completed. He oversaw the work of 24 volunteers who worked over 180 hours, raised the \$1,500 needed for materials, and received donations from various businesses and individuals to complete the enhancement project at Saint Pius X Church.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That we congratulate Zachary Newton on his achievement and receiving the Eagle Scout Award; through his determined efforts and leadership, his community shares in his success by enjoying a quiet area for reflection; and

**BE IT FURTHER RESOLVED:** That we recognize Zak as a role model for all young people by showing them how to become a caring citizen through leadership, service, and hard work; on behalf of the citizens of Middletown, we wish him well in all future endeavors and hope that Middletown will continue to benefit from his sense of duty as an active volunteer and community member.

<b>Agenda Item</b>	<b>4</b>
<b>Description</b>	<b>Approval of Minutes</b>

The Chair Asks if there are any deletions or corrections to the minutes; hearing none he requests a motion to approve the minutes of the regular Common Council meeting of May 2, 2011 at 7 p.m. meeting; Special Meetings of May 2, 2011 at 6 p.m., and May 12, 2011 at 6:45 p.m., 7 p.m., and Immediately following the 7 p.m. meetings having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council Member, the reading of the same having been dispensed with, Councilman Serra moves them for approval and is seconded by Councilman Pessina. There is no discussion. It is unanimous to approve with eleven aye votes. The Chair states the matters are accepted with no one in opposition. The minutes are approved.

<b>Agenda Items</b>	<b>5 and 6</b>
<b>Description</b>	<b>Public Hearing Opens on Agenda Items</b>

**Public Hearing Opens**

The Chair opens the public hearing on the Neighborhood Assistance Act Submissions, the Interlocal Agreement with East Hampton as well as all agenda items at 7: 48 p.m. He asks anyone who wishes to address the Council to come forward.

Earle Roberts states it is good to see an old High School friend and former Council Member. He will be brief; you are asking for a bid waiver for \$129,000, but you are allowing up to \$155,000 and the perception of that is counter productive. Is it \$155,000 or \$129,000 with a bid waiver. Regarding the sidewalks. The Chair states it has been removed. Mr. Roberts states the appropriations for the possibility of arbitration services for contracts. In these tough times if they are under last years expenditure we are in the right direction. He states we have a Legal Department and a Finance Director who got accolades for the 466 contract. Maybe we can do it without the funding. That should be debated. That is a lot of money. Lastly, the Neighborhood Assistant Act and the Interlocal Agreement, when running for office, he took a position for consolidation and regionalization. This is a small step but the right direction. In that message we will show the public we are putting our thinking caps on and he hopes it is promoted in all the areas. If we are dealing with our own local expenditures, then this has to come.

The Chair asks if there are other members of the public who wish to address the agenda items.

Lee Osborne comes forward to address agenda item 10-12; when they are completed, the Board of Education will issue an EDO49F and following the submission of that document, the project will be audited and it will give the City some money. There is one project left and that is a road. Before you is a layout of the proposed road shown in dark color. The light road above it was the original position of the road on the plans. The plans were approved by the Board of Education and Planning and Zoning and sent to the State and approved by them. On a cost saving move, before we joined the project, that road was removed. That is not a public road, but an emergency access area to allow police and fire to get into the area if there is a problem. We

have created a situation with the houses with limited access and this will open it up with a second means of egress that emergency personnel need. The reason the road changed configuration was they spoke to CL & P and they have a high tension tower there and there is an OSHA regulation on getting to the low hanging line and it is 25 feet from the line and it sags in the summer time. In order to reach the 25 foot clearance, they had to go way east and get within 50 feet of the next set of poles to get the maximum clearance under it. The plans were provided by Deputy Public Works Director Bob Dobmieir, and approved by CL&P and DeRita was the site project provider. We need to get the road done during the summer. In order to do that, if we went forward with a full bid process, they would have to hire a consultant and lose 60 – 90 days and that is why we are here. The difference between \$129,000 and \$155,000 was that the bid is \$129,000 but the Committee voted to approve up to \$155,000. There is an inspection that they may have to pay for and there is a contingency and that is why there is \$155,000. Our intention is to spend \$129,000. These funds are still in the school funding. This is only a bid waiver project. He asks if there are questions and he would be happy to respond.

Public Hearing Closed

The Chair asks if there are other members of the public who wish to speak to come forward. Seeing none, the Chair closes the public hearing on agenda items at 8:07 p.m.

Agenda Item 7  
Description Appropriations

The Chair asks the Council Clerk to read the appropriation request and the Certificate of the Finance Director.

Notice of Public Hearing

MAYOR'S OFFICE  
MUNICIPAL BUILDING

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on **Monday, June 6, 2011 at 7:00 p.m.** to consider and act upon the following:

- Personnel Department \$50,000, Account No. 1000-17000-55160, Outside Legal Services, General Fund. (Police Arbitration Services)
- Personnel Department \$50,000, Account No. 1000-17000-55160, Outside Legal Services, General Fund. (Teamsters Arbitration Services)
- Fire Department \$8,673.00, Account No. 2010-50000-5110-0500, Salaries & Wages. FT Perm, Fire Fund Balance.
- Fire Department \$170,000, Account No. 2040-50300-79566, Sutphen Tower Ladder, Fire Fund Balance.
- Fire Department An Ordinance Appropriating \$750,000 For The Purchase Of A Tower Firefighting Apparatus For The City Fire District And Authorizing The Issue Of \$750,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.

Any and all persons interested may appear and be heard.

ATTEST:  
SEBASTIAN N. GIULIANO  
Mayor

Certificate of Director  
Of Finance

To: His Honor Mayor Sebastian N. Giuliano  
and Members of the Common Council  
From: Finance  
Date: June 6, 2011  
RE: Certification of Funds

This is to certify that funds for the appropriations requested at your meeting of June 6, 2011 are available as follows:

General Fund	\$100,000
Fire Fund Balance	\$178,673
Purchase of a Tower Firefighting Apparatus Ordinance Bond Issue	\$750,000

Respectfully submitted,  
Carl Erlacher  
Director of Finance

**Agenda Item 7****Description Appropriation Request, Personnel Department**

Councilman Serra reads and moves the Personnel Department Appropriation Request for approval; Councilman Pessina seconds the motion.

Councilman Daley states we had, in our caucus an extensive discussion on this and we understand the need to appropriate additional funds. We feel that based on discussions that took place during budget hearing time, we want this money through the Legal Department to review all outside legal services and for that reason he will be voting no and encourage others to vote know and it should come back next month. Councilman Serra states the City Attorney has the expertise for gatekeeping and should be for all these types of funds. Councilman Pessina states he will not support this; we need to use the City Attorney

The Chair calls for the vote and asks all those in favor to say aye; there is one aye vote. He asks those who are against to vote no. It is ten nay votes by Council Members Serra, Klattenberg, Pessina, Daley, Santangelo, Kasper, Faulkner, Kleckowski, Bauer, and Drew. The Chair states the nays have it and the appropriation fails.

**Personnel Department \$50,000, Account No. 1000-17000-55160, Outside Legal Services, (Not Approved) General Fund. (Police Arbitration Services)**

**Appropriation Request Personnel Department**

Councilman Serra reads and moves for approval the appropriation request for Personnel regarding arbitration funds for the Teamsters Contract; his motion is seconded by Councilman Pessina.

Councilman Daley states some may vote no for the same reason as the first request, but I will support resolution 10-4 and that would negate the need for the appropriation. Councilman Serra states for the same reason, he will not support this. He will support 10-4. Councilman Pessina states as the maker of 10-4, he will vote no.

Seeing no further discussion, the Chair calls for the vote. There are no aye votes. It is unanimous with eleven nay votes. Councilman Streeto is absent from the meeting. The Chair states the nays have it and the appropriation request fails.

**Personnel Department \$50,000, Account No. 1000-17000-55160, Outside Legal Services, (Not Approved) General Fund. (Teamsters Arbitration Services)**

**Appropriation Request Fire Department**

Councilman Serra reads and moves for approval the Fire Department request for \$8,673. Councilman Pessina seconds the motion. There is no discussion. The vote is called, and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously.

**Fire Department \$8,673.00, Account No. 2010-50000-5110-0500, Salaries & Wages. FT (Approved) Perm, Fire Fund Balance.**

**Appropriation Request Fire Department**

Councilman Serra reads and moves for approval the Fire Department request for \$170,000 and his motion is seconded by Councilman Pessina. Hearing no discussion, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously.

**Fire Department \$170,000, Account No. 2040-50300-79566, Sutphen Tower Ladder, Fire (Approved) Fund Balance.**



**Bond Ordinance**

**Fire Department**

Councilman Serra reads and moves for approval a bond ordinance for a tower firefighting apparatus. He reads the bond ordinance through Section 1 and moves it for approval. Councilman Pessina seconds the motion.

The Chair asks for a motion to waive the reading of the rest of the ordinance; Councilman Pessina so moves and his motion is seconded by Councilwoman Kasper. The Chair calls for the vote and it is unanimous to approve the waiving of the reading of the rest of the ordinance with eleven aye votes. The Chair states the matter passes unanimously.

Hearing no discussion, the Chair states he will call the vote by roll call. The matter passes with eleven affirmative no negative and one absent and not voting.

Councilman Bauer	Aye
Councilman Bibisi	Aye
Councilman Daley	Aye
Councilman Drew	Aye
Councilman Faulkner	Aye
Councilwoman Kasper	Aye
Councilwoman Kleckowski	Aye
Councilman Klattenberg	Aye
Councilman Pessina	Aye
Councilman Santangelo	Aye
Councilman Serra	Aye
Councilman Streeto	Absent

The Chair states the matter passes unanimously with eleven affirmative votes, no negative votes and one absent and not voting.

<b>Ordinance No.</b>	<b>07-11</b>
<b>File Name</b>	<b>MiddletownCityHallGeneratorbondordinance\$4950004-11.docx</b>
<b>Description</b>	<b>An Ordinance Appropriating \$750,000 For The Purchase Of A Tower Firefighting Apparatus For The City Fire District And Authorizing The Issue Of \$750,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.</b>

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

Section 1. The sum of \$750,000 is appropriated for the purchase of a Tower fire fighting apparatus, Sutphen Custom 5 PH-100 Midmount Platform Apparatus, in accordance with the Freightline of Hartford proposal dated March 21, 2011, and including testing, training, consultant services, warranty, administrative, printing, legal, and financing costs related thereto. Said appropriation shall be in addition to amounts appropriated by the City Fire District for such purchase.

Section 2. The expected useful life of the project is twenty years. The total estimated cost of the project is approximately \$939,000, the balance of which is expected to be paid from Fire District appropriations. The project is a general benefit to the City of Middletown and its general governmental purposes.

Section 3. To meet said appropriation \$750,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. They shall bear such rate or rates of interest as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds, annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Mayor and the City Treasurer in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b,

including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council. In order to meet the capital cash flow expenditure needs of the City, the Mayor and City Treasurer are authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 5. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation the purchase contract shall be approved by the Mayor and City Treasurer. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 6. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 7. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 8. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to Section 7-373 of the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 9. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The City hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the City. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 10. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 11. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the City as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The City Manager and the Comptroller are hereby authorized to issue and utilize without further approval any financing alternative available to municipal governments pursuant to HR1, "Making Supplemental Appropriations for Job Preservation and Creation, Infrastructure Investment, Energy Efficiency and Science, Assistance to the Unemployed, and State and Local Fiscal Stabilization, for the Fiscal Year Ending September 30, 2009, and for other purposes" (the "American Recovery and Reinvestment Act of 2009"), as the same may be reauthorized or reenacted, or analogous legislation, including but not limited to any "tax credit bond," or "Build America Bonds" including Direct payment and Tax Credit Versions.

**DEBT STATEMENT**  
**April 30, 2011**  
**CITY OF MIDDLETOWN, CONNECTICUT**

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")	
Fiscal Year Ended June 30, 2009	101,003,827
BORROWING CAPACITY FOR EACH CLASS	
2-1/4 times base for General Purposes	227,258,611
4-1/2 times base for Schools	454,517,222
3-3/4 times base for Sewers	378,764,351
3-1/4 times base for Urban Renewal	328,262,438

3 times base for Unfunded Past Benefit Obligations	303,011,481
MAXIMUM AGGREGATE BORROWING CAPACITY 7 times Base	707,026,789
INDEBTEDNESS BONDS AND NOTES:	
GENERAL PURPOSES	27,977,150
SCHOOLS	28,216,800
SEWERS	4,341,850
URBAN RENEWAL	-
UNFUNDED PAST BENEFIT OBLIGATIONS	-
BONDS AND NOTES AUTHORIZED BUT UNISSUED:	
GENERAL PURPOSES	14,405,344
SCHOOLS	173,449
SEWERS	8,979,840
URBAN RENEWAL	-
UNFUNDED PAST BENEFIT OBLIGATIONS	-
CLEAN WATER FUND LOANS:	
SEWERS	6,761,769
SUB-TOTAL INDEBTEDNESS	90,856,202
LESS	
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES	
GENERAL PURPOSE	-
SCHOOLS	-
SEWERS	-
URBAL RENEWAL	-
TOTAL DEDUCTIONS	-
NET INDEBTEDNESS	90,856,202
TOTAL DEDUCTIONS	
BALANCE OF BORROWING CAPACITY FOR EACH CLASS:	
GENERAL PURPOSE	184,876,117
SCHOOLS	426,126,973
SEWERS	358,680,892
URBAL RENEWAL	328,262,438
UNFUNDED PAST BENEFIT OBLIGATIONS	303,011,481
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE	616,170,587

<b>Agenda Item</b>	<b>8</b>
<b>Description</b>	<b>Department, Committee, Commission Reports and Grant Approvals</b>

Councilman Serra reads and moves for approval 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, and 8I; Councilman Pessina seconds the motion. The Chair calls for the vote on the items that have been moved and seconded. It is unanimous to approve with eleven aye votes. The Chair states they are accepted/adopted unanimously with one absent and not voting.

<b>Agenda Item</b>	<b>8A</b>
<b>Description</b>	<b>Town Clerk Certification</b>
<b>(Approved)</b>	<b>May 27, 2011</b>

I, Sandra Russo Driska, City and Town Clerk of the City of Middletown, and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on May 2, 2011 at 7:00 p.m. and specials meetings on May 2, 2011 at 6 p.m., May 12, 2011 at 6:45 p.m., May 12, 2011 at 7 p.m., and May 12, 2011 budget meeting following the 7:00 special meeting have been advertised in the local newspaper.

Attest:  
Sandra Russo Driska  
City & Town Clerk

<b>Agenda Item</b>	<b>8B</b>
<b>Description</b>	<b>Monthly Reports</b>
<b>(Accepted)</b>	<b>Finance Department – Transfer Report to May 27, 2011</b>
	<b>Public Works Monthly Report with summary Bldg Permits for April, 2011</b>

<b>Agenda Item</b>	<b>8C</b>
<b>Description</b>	<b>Grant Confirmation and Approval – Board of Education, Various Grants</b>
<b>(Approved)</b>	<b>Name of Grant: As Listed Below</b>
	<b>Amount Requested: \$436,744.19</b>

**Code:** 2450-33000-59405  
**Grant Period:** **From:** 7/1/2010 **To:** 6/30/2011  
**Type of**  
**Amount Loaned from General Fund:** \$0.00  
**Department Administering Grant:** Middletown Board of Education  
When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.  
**Description of services to be provided by this Grant:**  
769 - Middletown Teen Theater \$3,515; 841 - Special Ed Medicaid \$9,966.56; 851 - Reading Recovery Teachers-CREC \$41,376.50; 852 - Universal Service Fund \$180; 876 - Hartford Symphony \$11,205; 894 - Swaim Strings Program \$205; 700 - Food Services Receipts \$140,664.38; 801 - Cigna Certified & Paras \$188,696.87; 803 - Workers' Compensation \$3,231.74; 804 - Preschool Program Fees \$2,549; 805 - Summer School Receipts \$150; 807 - Aetna Classified \$223.09; 808 - 21st. Century Parent Fees \$490; 809 - Maintenance/Rentals \$4,817.50; 833 - Adult Ed Receipts \$27,160; 893 - Fingerprinting Receipts \$269.50; 901 - Keigwin Parent Fees \$30; 902 - Student Activities-W.W.M.S. \$2,014.05 Total Special Programs Through 4/14/2011 \$15,795,158.68 ADDITIONS \$436,744.19 Total Special Programs Through 5/16/2011 \$16,231,902.87  
**Requested by:** Michael J. Frechette, Ph.D.

Agenda Item  
Description  
(Approved)

**8D**  
**Grant Confirmation and Approval – Health Block Grant**  
**Name of Grant:** Physical Activity--Health Block Grant  
**Amount Requested:** \$7,165.00  
**Code:** 3070-31000-59200  
**Grant Period:** **From:** 7/1/2011 **To:** 6/30/2012  
**Type of** State  
**Amount Loaned from General Fund:** \$0.00  
**Department Administering Grant:** Health Department  
When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.  
**Description of services to be provided by this Grant:**  
Physical activity practices that promote heart health; impact cardiovascular health. Partnering up with A.M.E. Zion Church where "Zumba" classes will take place.  
**Requested by:** Joseph A. Havlicek, MD

Agenda Item  
Description  
(Approved)

**8E**  
**Grant Confirmation and Approval – LoCIP Program, 2011**  
**Name of Grant:** Local Capital Improvement Program - 2011  
**Amount Requested:** \$342,126.00  
**Code:** 3560-00000-57030  
**Grant Period:** **From:** 3/1/2011 **To:**  
**Type of** State  
**Amount Loaned from General Fund:** \$342,126.00  
**Department Administering Grant:** Finance Department  
When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.  
**Description of services to be provided by this Grant:**  
Each year the City of Middletown is awarded funds to be used for Middletown local capital improvement projects as specified in the State grant guidelines. The City must apply and receive approval for the projects. One approval is granted, City funds must be expended for the project and are reimbursed after invoices/payments are approved by the State Office of Policy and Management.  
**Requested by:** C. Erlacher

Agenda Item  
Description  
(Accepted)

**8F**  
**Human Relations Report – 3<sup>rd</sup> Quarter Recruitment and Hiring Report**

Agenda Item  
Description  
(Approved)

**8G**  
**Emergency Purchase – Water and Sewer Department, Cahill Environmental Services at Berlin Street Offices**

Agenda Item  
Description  
(Approved)

**8H**  
**Emergency Purchase – Planning, Conservation, and Development, Remington Rand Roof Repair, Philip Marotta**

Agenda Item  
Description  
(Approved)

**8I**  
**Grant Confirmation and Approval – Mayor’s Office, School Readiness**  
**Name of Grant:** School Readiness  
**Amount Requested:** \$1,925,782.00  
**Code:** 3730-33000-59200  
**Grant Period:** **From:** 7/1/2011 **To:** 6/30/2012  
**Type of** State  
**Amount Loaned from General Fund:** \$1,925,782.00  
**Department Administering Grant:** Mayor’s Office/Superintendent of Schools/School Readiness Council

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

**Description of services to be provided by this Grant:**  
Funds from this grant will be used to 1) significantly increase the number of accredited and/or approved slots for young children in order to provide access to high quality preschool; 2) significantly increase the number of slots for young children to receive full day, full year child care services to meet family needs and to enable parents to become employed; 3) establish a shared cost for such early care and education programs among the State, its various agencies,  
**Requested by:** Mayor Sebastian N. Giuliano

Agenda Item  
Description  
(Approved)

**9**  
**Payment of City Bills**

Councilman Serra moves to pay all bills that have been properly approved. Councilman Pessina seconds the motion. The Chair recognizes Councilman Bauer who states he is going to vote no and somebody said I made a joke out of this and he thought he should offer an explanation. As long as he has been here, it has passed for 20 – 30 years, and he looked back at the history of this issue with the Council approving the bills. If you go back far enough, the Council had every invoice presented to them and the detail was written into the record and there have been many Charter revisions, I vote no because this is completely vestigial and he asks the Council if they were to vote no, would it matter. I think it does and underlying what we do automatically is a little of an example that the Council has reduced its oversight of its financial responsibility. We need to review whether we do it and why we do it and is the Council exercising all its financial responsibilities in paying the bills presented to the City. The Chair states it does not require any action; someone should look into it. I don’t think we have the legal right not to pay any bill. Someone should review it. I think your initial analysis is correct and an iteration of the Charter that has changed. Someone should look into it and the Council creates the agendas. Councilman Bauer states he doesn’t expect an answer tonight.

The Chair calls for the vote. The matter is approved with ten aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Faulkner, Kleckowski, and Drew; and one nay vote by Councilman Bauer. The Chair states the matter is approved with ten affirmative, one negative and one absent and not voting.

Agenda Item  
Description

**10**  
**Ordinances and Resolutions**

Agenda Item

**10-1**

Councilman Daley reads and moves for approval agenda item 10-1; his motion is seconded by Councilwoman Kasper.

Councilman Daley states he thought for the benefit of listeners it might be worthwhile what programs are being funded and it is from the State and not City taxpayer funds. He reads the submission list. These are grants, after soliciting applications from over 100 local nonprofit organizations. In the future, there may be more people requesting applications. He encourages his colleagues to vote affirmatively.

The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes and one absent and not voting.

Description

Approving the list of programs to the Commissioner of the State of Connecticut Department of Revenue Services for submission pursuant to neighborhood Assistance Act.

(Approved)

Be it resolved by the Common Council of the City of Middletown: That the following programs are hereby approved for submission to the Commissioner of the State of Connecticut Department of Revenue Services, on or before July 1, 2011 pursuant to General Statutes 12-228A, “Neighborhood Assistance Act:

Organization	Program Title	Funding Request
Russell Library Company	Energy Conservation for Administration building	\$5,519
Godfrey Library	Window Replacement for Energy Efficiency	\$10,000
North End Action Team Inc.	Neighborhood Revitalization and Leadership Dev.	\$150,000
Mercy Housing and Shelter Corporation	Shepherd Home Program	\$5,700
First Baptist Church	Historical Preservation and Renovation	\$150,000
Nehemiah Housing Corporation	Home Improvement	\$150,000

Fiscal Impact – there is no fiscal impact on the city.

Agenda Item

10-2

Councilwoman Kasper reads and moves for approval agenda item 10-2; her motion is seconded by Councilman Pessina. The Chair, seeing no discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with one absent and not voting.

Resolution No.  
File Name  
Description

85-11  
ccpefiredeptbudgetanalandadminsec.doc  
Approving the changes to the Fire Department’s Administrative Assistant to Program Budget Analyst and Fire Prevention Bureau Secretary to Administrative Secretary III with the removal of the Administrative Assistant and Fire Prevention Bureau Secretary from the Department upon retirement of the incumbents

(Approved)

Whereas, the Fire Department will be losing its two support staff due to retirement; and

Whereas, the Fire Department would like to restructure the responsibilities of these two positions allowing for better coverage in the department by replacing the current positions of Administrative Assistant (Salary Grade 9 – 40 hours) and Fire Prevention Bureau Secretary (Salary Grade 6 – 35 hours) with the positions of Program Budget Analyst and Administrative Secretary III;

Now, Therefore, Be It Resolved By the Common Council of the City of Middletown: That the position of Program Budget Analyst, (Salary Grade 9, 40 hours (\$19.02-\$28.15 per hour), - AFSCME Local #466) be approved in the Fire Department; and that the position of Administrative Assistant, Salary Grade 9, be removed from the Department upon retirement of the incumbent; and,

Be It Further Resolved: That the position of Administrative Secretary III, (Salary Grade 8, 40 hours (\$17.61 – \$26.07 per hr) – AFSCME Local #466) be approved in the Fire Department; and that the position of Fire Prevention Bureau Secretary, Salary Grade 6, be removed from the Department upon retirement of the incumbent.

Fiscal Impact: \$3,895

Agenda Item

10-3

Councilwoman Kasper reads and moves for approval agenda item 10-3; her motion is seconded by Councilman Faulkner.

The Chair, seeing no discussion, calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with one absent and not voting.

Resolution No.  
File Name  
Description

86-11  
ccnonbargainingbene  
Approving co-sponsoring Middletown Motorcycle Mania the Central Business Bureau of the Middlesex Chamber scheduled for August 10, 2011 with rain date for August 17, 2011.

(Approved)

Be it resolved by the Common Council of the City of Middletown: That the following non-bargaining unit positions of Fire Chief, Deputy Fire Chief, Director of Public Works, Acting City Attorney, Director of Finance, Director of Personnel, Deputy Director of Personnel, Acting Chief of Police, Executive Assistant to the Mayor and the Assistant to the Superintendent of Schools shall continue to receive all the same benefits, costs of benefits as provided to the Teamsters Local 671, former MMPA through July 31, 2011.

Agenda Item

10-4

Councilman Pessina reads and moves agenda item 10-4 for approval and is seconded by Councilman Serra. The Chair asks if a member of the

prevailing side would make the motion as this is a reconsideration; that would follow Robert's Rules of Order.

Councilman Serra makes the motion to approve and Councilman Daley seconds the motion. Councilman Daley is recognized by the Chair and states we are reconsidering it because we had a clarification of costs. Originally, there was a misunderstanding of the cost and the amount and small number who would receive the step increase. That was clarified by Personnel and Finance and those costs were for several years and the cost for this is much less; the total cost is \$13,000. It is more feasible and urges its approval.

Councilman Serra states he will support this and it is unfortunate the wrong numbers were given to us and in the future the Finance Department would take care of the numbers and goes through all the items relative to any negotiations. He will support this.

Councilman Drew clarifies last month when trying to get more information that three people were getting \$37,000 and it worked out to \$12,000 per person and now the numbers have been clarified, he is comfortable in voting for this.

Councilman Bauer thanks the Chair for obviating the point of order he would have made; one exercise they did was the piggy backing a number of exempt employees and do we have a number for it. The Chair states the Personnel Director says everyone is at max so it is zero. Councilman Daley states the extension is through the end of July while Personnel Review works on a more permanent arrangement for these employees.

There is no further discussion. The Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with one absent and not voting.

**Resolution No.**  
**File Name**  
**Description**

**87-11**

**ccteamstersagreementto2012(2).doc**

**Approving the extension to the Teamsters Contract Local 671 to June 30, 2012 with changes to the contract regarding the change from MMPA to Teamsters, a freeze in salary and cost of benefits for one year.**

**(Approved)**

**Whereas**, the Teamsters Local 671 and the City of Middletown have reached a tentative agreement for one year with Union language change from MMPA to Teamsters Local 671 as well as a freeze in salary and cost of benefits for one year through June 30, 2012.

**Now, Therefore, Be it Resolved by the Common Council of the City of Middletown:** That the tentative agreement between the City of Middletown and Teamsters Union Local 671 (formerly MMPA) is approved with said agreement in effective through June 30, 2012.

Fiscal Impact: Total Cost is \$14,728, including steps for 2012 at \$8,811 and medical costs of \$5,917.

**Agenda Item**

**10-5**

Councilman Serra reads and moves for approval the rejection of agenda item 10-5; his motion is seconded by Councilman Pessina.

Councilman Daley states in order to let the contract take effect we need to vote no. The Chair states the statute is written in the negative and gives the fiscal authority the right to reject within 30 days of filing with the town clerk. A nay vote supports the contract.

Councilman Drew recognizes the teachers; they have taken a hard freeze for 2 years and will be taking a wage freeze again this year. They have sacrificed for the community. Councilman Pessina states during the questions to directors, he had concerns about this and other contracts that we did not approve and he is disappointed that the Superintendent was not here to ask for clarifying questions and Barbara Senges said there was no indication that there would be discussion at the 6 p.m. meeting. He will support this because of the hard freezes they took and he hopes to look at the other contracts they have rejected. Councilman Serra states the teachers were in the forefront to keep the taxpayers ability to pay and help with the decrease of the mill rate. The administrators also did that as well as the Teamsters. He will vote nay for the rejection.

There is no further discussion. The Chair calls for the vote on the motion to reject the contract. There are no aye votes. The Chair asks for those

against to say nay. It is unanimous with eleven nay votes to defeat the motion. The Chair states the matter is defeated unanimously with one member absent and not voting and in effect, the contract is approved.

Resolution No.	88-11
File Name	ccboeMExtensioncontract2011-12.doc
Description	Approving rejecting the negotiated contract extension between the City of Middletown's Board of Education and the Middletown Federation of Teachers with said extension from July 1, 2012 to June 30, 2013.
(Defeated)	Be it resolved by the Common Council of the City of Middletown: That pursuant to Chapter 166, Sec. 10-153d (b), the contract extension between the City of Middletown's Board of Education and the Middletown Federation of Teachers from July 1, 2012 to June 30, 2013 be rejected.

Agenda item 10-6

Councilman Faulkner reads and moves for approval agenda item 10-6; his motion is seconded by Councilwoman Kasper.

Councilman Faulkner states he wanted to clarify the questions about the need to change the make up of the committee and one of the things that affected that was concern from HUD on the makeup of the committee. We had issues in terms of quorum and they thought our positions on the committee were narrowly focused with concerns about bankers and real estate folks. That was the motivation for changing the makeup.

The Chair, hearing no further discussion, calls for the vote. It is approved unanimously with eleven aye votes. The Chair states the matter is approved with eleven affirmative votes and one absent and not voting.

Resolution No.	89-11
File Name	PCD_CPPamendment2011res.doc
Description	Approving adopting the amended Citizen Participation Plan that changes the process for consolidated Plans and annual plans to comply with federal requirements and membership to the Citizens Advisory Committee.
(Approved)	<p><b>WHEREAS</b>, the City of Middletown receives Community Development Block Grant (CDBG) funds from the U.S. Department of Housing &amp; Urban Development (HUD) as an entitlement community; and</p> <p><b>WHEREAS</b>, the final rule was published on January 5, 1995 in the Federal Register for the Consolidated Submission for Community Planning &amp; Development Programs; and</p> <p><b>WHEREAS</b>, the City of Middletown an annual entitlement to benefit low and moderate income residents and reduce slum and blight; and,</p> <p><b>WHEREAS</b>, pursuant to the HUD final rule, the City of Middletown has a Citizens' Advisory Committee which advises the Common Council on the use of its annual CDBG entitlement and the Citizen Participation Plan provides the framework with which these recommendations are formulated and vetted by the Committee, Common Council and the public; and,</p> <p><b>NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:</b> adopt the amended Citizen Participation Plan that changes the amendment process for Consolidated Plans and Annual Plans to comply with federal requires.</p>

FINANCIAL IMPACT STATEMENT

The proposed amendment is not fiscal in nature, but deals with membership and process. The multiple approaches to allocating funds could require multiple legal notices costs, but planning could consolidate these notices to minimize additional administrative costs for the program.

Description	<p>Amendment Approved</p> <p><u>Proposed amendment to the 2010-2015 Consolidated Plan</u></p> <p>Delete on page 61 the following: <b>Strategy J1- Middletown Job Launch Grants- Develop an employee recruitment and training grant program for for-profit companies that are opening, relocating to Middletown or expanding by a certain amount.</b></p> <p>Businesses that need to hire, especially for positions that require training, can receive a grant of up to \$2,000 per new position. The grant can be used at approved service providers that would design a recruitment and training program to fit their needs.</p> <p>Service providers selected through a request for proposals (RFP) process and would be qualified to participate in the program for the entire 5 year strategic plan.</p> <p>Priority- High</p> <p>Geographical Target- Citywide</p> <p>Targeted Population- Small businesses and Low- and Moderate-income residents</p> <p>Goal- 10 firms participate</p> <p>Goal- 100</p>
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Programmatic Benchmark J1A- A majority (51%) of clients successfully completed training, received stable employment and are still working a year later.

Provider: City administered, pre-approved training programs selected through RFP

HUD Regulation: §570.203(a), §570.203(b), §570.203(c), and §570.209

Advisory CDBG Funding Levels						
	Public Service	Slum/ Blight	Public Facility	Econ. Dev.	Housing	Planning/ Admin
Year 1-				\$75,000		
Year 2-				\$50,000		
Year 3-				\$30,000		
Year 4-				\$30,000		
Year 5-				\$30,000		
Total-				\$215,000		

Estimated Output			
People	Households	Jobs	Public Facilities
Year 1-		10	
Year 2-		15	
Year 3-		20	
Year 4-		25	
Year 5-		30	
Total-		100	

Possible Additional Funding Opportunities From Private and Public Sources  
Aetna Foundation Inc.  
American Savings Foundation  
Deupree Family Foundation  
Liberty Bank Foundation Inc.  
Northeast Utilities Foundation Inc.  
The Xerox Foundation  
CT Dept of Revenue- Neighborhood Assistance Act and Tax Credit Program

Replace on page 61 with the following:  
**Strategy J1- Creation of a small business incubator at the Remington Rand facility.**

The City of Middletown owns a former manufacturing building at 180 Johnson Street. Acquired through tax foreclosure, this 184,000 square foot facility is located in Middletown's North End and is an active brownfield remediation project.

In 2008 the City received a \$213,000 energy improvement grant to replace the windows through out the main building. Once this project is completed, there is tremendous potential to create office incubator space.

This grant seeks to design and rehab 2,000 to 3,000 square feet that would provide space for 3 to 5 small businesses, a common conference room, a common copy center, a common restroom, replace the existing freight elevator for a passenger elevator, and make other necessary upgrades such as electrical, broadband internet, voicemail and lighting.

Tenants would be eligible based on household income or making jobs available to low and moderate income residents. Office spaces lease would last between 3 to 5 years, and lease terms would provide a period of free rent for the first six months to a year with rent increasing slowly thereafter until it reaches market rates. At five years tenants would graduate from the incubator space and would need to find another location to operate their business.

Priority- High

Geographical Target- North End- 180 Johnson Street, Middletown, CT

Targeted Population- Small businesses and Low- and Moderate-income residents

Goal- 5 firms participate  
Goal- 7 jobs created

Programmatic Benchmark J1A- The program receives a 70% approval rating from participants.  
Programmatic Benchmark J1B- Firms that go through the program create at least 7 full-time jobs, above employment  
Programmatic Benchmark J1C- 51% of the new employees are still employed a year after they were hired by the expanding small business.

Provider: City administered

HUD Regulation: §570.203(a)

**Agenda item                    10-7**

Councilman Faulkner reads and moves for approval agenda item 10-7; his motion is seconded by Councilman Pessina.

Councilman Daley thanks the members of CAC for the work they do in reviewing applications and making recommendations. As everyone on the Council is aware, the CAC is aware because they were asked to reconsider their recommendations. There was discussion whether an allocation for the Senior Center was necessary based on the stage of that project. He is pleased to say through discussions through the Mayor's office, the majority and minority leaders you came up with a plan that accomplishes that using a bond for the renovations and other future bonding when plans are in place as two separate considerations. One other element discussed is the funding for

a successful program that we funded for a number of years, Middlesex Business and Industry employment preparation.

**Motion to Amend**

Councilman Daley moves to amend the resolution by reducing the CT Legal Services by \$5,000 and adding the \$5,000 to the Middlesex Business and Foundation; reduce the Senior Center Allocation of \$87,323.95 and that money be added to the City of Middletown Small Business Creation and Expansion and he hopes the amendments would be accepted as friendly. Councilman Faulkner agrees and Councilman Klattenberg seconds the motion.

The Chair asks if it is one amendment for both; the response is one amendment. The Chair states without objection we will proceed on those lines. He asks if there are objections to the amendments.

Councilwoman Kleckowski states she does object. She proposed keeping the funding for Legal Services; they are a vulnerable group of people and she strongly recommends keeping the \$5,000 for them. The Chair asks for further discussion.

Councilman Klattenberg states he will support the amendment to the resolution for \$87,323.95 to be allocated to the Small Business Creation/Expansion Incentive and he is grateful for work done by your office for coming up with alternative strategies for funding for the renovations and he hopes the matter will be supported and he will support the reallocation of funds and will point out a memo received from Bill Warner which said the program is administered by Bill's office and we will leave the money there until the CAC and Council can see the proper allocation of the funds. They are not assigned to a particular fund and both the CAC and Council will make the decision.

The Chair calls for a vote on the amendment. It is nine aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Faulkner, and Drew; and two nay votes by Council Members Kleckowski and Bauer. The Chair states the matter passes with nine aye votes, two nay votes and one absent and not voting.

Councilman Drew thanks the Mayor and Majority and Minority leaders for the compromise that occurred. His concern was that the funding would be tied up for a year and this resolution supports local programs who need the funding. He also thanks the CAC and Council for coming up with a good compromise.

**Noted for the Record**

Councilman Bibisi leaves his seat at 8:43 p.m.

Councilman Serra states the cooperation was like the high school; we are going to make Eckersley Hall a useable building and he is pleased they could compromise relative to bonding so we can get the best we can out of the hall for the citizens of Middletown.

Councilman Bauer states he will vote nay on this motion; my reading of the housing prices is he wishes there were more money to put to this. Everything that has happened with the unfair mortgages, we need more seed money for the people of Middletown for predatory mortgages. He believes the \$5,000 wasn't enough and he would stick with the CAC recommendation and he regrets it is completely being zeroed out.

Councilwoman Kleckowski concurs with Councilman Bauer and she is glad people are cooperative. Legal aid is the last resort for the population that is most vulnerable. She asks they think about adding the \$5,000 and once it is taken away those in most need will not have the help

**Noted for the Record**

Councilman Bibisi returns to his seat at 8:45 p.m.

Councilman Kleckowski continues this puts our citizens at a disadvantage and she will vote no by reducing this to zero. Councilman Pessina states to the right perspective; the number one issue out there is jobs. People need jobs. The Chamber sponsored a worker preparation program and does that. That is just as important as legal representation. That is the number one issue and that is what the public is asking all over this country and we should support those programs.

The Chair states our students need to leave and I thank the students for being here tonight.

Councilman Santangelo states listening to the conversation, he agrees with Councilman Pessina that it is jobs and the \$87,000 will be more than

sufficient and Councilwoman Kleckowski raises an important question about representation. Many people do not have a voice in the community and many people don't know what they can do. Legal aid is important and \$5,000 is not a large sum. I would like to see this and someone may need this help. This body is lucky because they can speak publicly. The most vulnerable people do not have a voice and I am having a difficult time with that.

Councilman Daley states the reality is we have a difficult choice to make because the recommended allocation for worker preparation is a reduction from their current year funding at a time for the need of that type of program is increasing. It is a difficult choice and the sense is there are other sources of funding to CT Legal Services other than CDBG and that is why I for one will vote for the commitment of the funds to the Chamber for worker preparation program. He urges the Council to vote for this as amended. CT Legal Services will find funding from other sources and the worker prep program relies on CDBG funding.

Councilman Bauer states he adds one piece; we emphasize jobs and maintaining and growing the grand list is one of the most important things we do and if we don't stop predatory foreclosures, it will have a dilatory effect on the grand list and I don't want us to defund our meager contribution. All it takes is one or two highlighted cases in town.

Noted for the Record

Councilman Drew leaves his seat at 8:53 p.m.

Councilman Bauer states it would be a beacon; we don't have to fight every fight. I am at a disadvantage and there has been a representation made of the sterling results of the program we are funding he asks if one could make available the statistics on the program to see its success rate; then he would have a better sense of proportion. Councilman Daley responds that Councilman Bauer's inquiry could be answered by Larry McHugh.

Councilwoman Kleckowski states she is not talking about not having that program; she works at Middlesex and will not talk about defunding a program; if it is not that program then another. To take away the legal voice from those who have no other place to go is irresponsible; I can't understand why it is even under consideration. I ask that you reconsider taking away this legal voice from this vulnerable population.

Noted for the Record

Councilman Drew takes his seat at 8:56 p.m.

Councilwoman Kleckowski states at the CAC meeting, legal services was not considered to be unfunded and she doesn't think there are other sources of funding for them.

The vote is called. It is eight aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Kasper, Faulkner, and Drew; and three nay votes by Council Members Santangelo, Kleckowski, and Bauer. The Chair states the matter passes with eight in favor, three against and one Councilman absent and not voting

Resolution No.  
File Name  
Description

**90-11**  
**pcdKennethDooleyHoldingsTaxBusinessIncentive.doc**  
**Approving amending the Consolidated Plan for Housing and Community Development to include the Remington Rand Small Business Incubator as eligible strategy for CDBG funds and replace Strategy 1 with Jobs Strategy; approving the Entitlement appropriations for 2011 as listed in the resolution; approving the budget modifications which decrease the 2010 Entitlement Line item entitled Middletown/Econ Dev Job Incentive by \$75,000 and increasing the 1999 Entitlement line item Remington Rand Incubator by \$75,000 and Residential Rehab Loan Fund Balance by \$14,834.37 into Program Income, Expenditure account entitled Middletown Remington Rand Incubator line; and authorizing the Mayor to submit the Consolidated Plan amendment and the 2011 Annual Action Plan to access the \$400,000 in CDBG entitlement funding and program income.**

(Amended and Approved)

**WHEREAS**, the City of Middletown receives Community Development Block Grant (CDBG) funds from the US Department of Housing & Urban Development as an entitlement community, and

**WHEREAS**, the final rule was published on January 5, 1995 in the Federal Register for the Consolidated Submission for Community Planning & Development Programs; and,

**WHEREAS**, the ongoing receipt of CDBG funds is conditioned upon the drafting and adoption of a Five Year Consolidated Plan of Housing and Community Development under federal regulations [24 CFR 91.1(a)(2)], and the drafting and adoption of an Annual Action Plan; and,

**WHEREAS**, such a Consolidated Plan amendment and 2011 Annual Action Plan have been properly drafted and subject to due review by the public and by the Citizens' Advisory Committee pursuant to the HUD final rule,; and,

**WHEREAS**, the Citizens' Advisory Committee has seen fit to recommend approval and adoption of this Consolidated Plan amendment,

**WHEREAS**, the City of Middletown expects to received \$380,268 in Community Development Block Grant funds for the 2011 entitlementment year ; and,

**WHEREAS**, the City of Middletown has \$79,834.37 in old entitlement and program income funds and expects to received \$10,000 in program income during the 2011 entitlement year; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That the Mayor and the Common Council of Middletown hereby amend the *City of Middletown Consolidated Plan for Housing & Community Development September 1, 2010 to August 31, 2015* to include the Remington Rand Small Business Incubator as an eligible strategy for CDBG funds under Priority #1 and replace strategy 1 with: Jobs Strategy 1- Creation of a small business incubator at the Remington Rand facility.

**BE IT FURTHER RESOLVED:** That the following 2011 Entitlement appropriations are hereby approved:

Organization	Program/Project	Grant Amount
Salvation Army	Teen Center	\$5,000
Russell Library	Job and Career Services	\$10,000
St. Vincent DePaul	Amazing Grace Food Pantry	\$5,000
Middlesex Business & Industry Foundation	Worker Preparation Program	\$14,540
Kuhn Employment Opportunities	Mobile Work Crew	\$2,500
Connecticut Legal Services	Housing Legal Aid	\$-0-
City of Middletown	Senior Center	\$-0-
City of Middletown	Bin de Soleil	\$15,000
Middletown United Fathers	Community Garden	\$5,588.42
North End Action Team	North End Parks	\$12,650
Community Health Center	Handicapped Lift	\$15,000
Middletown Public Schools	Hall House Building Improvements	\$27,500
Gilead Community Services	Improvements to Affordable Housing	\$14,000
City of Middletown	Remington Rand Incubator	\$10,165.63
City of Middletown	After-School Scholarship Program	\$20,000
City of Middletown	Micro-grant/loan program for Seniors	\$10,000
City of Middletown	Small Business Creation/Expansion Incentive	\$137,323.95
City of Middletown	Program Administration	\$76,000

**BE IT FURTHER RESOLVED:** That the following budget modifications be made:

**DECREASE**

## 2010Entitlement

Line Item 3215-14000-57030-0000-03667-2010-000	Middletown/Econ Dev Job Incentive	\$75,000
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**Program Income- Fund Balance**

Line Item 3960-00300-30310-0000-00000-0000-900	Residential Rehab Loan Fund Balance	\$14,834.37
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**INCREASE**

### 2010 Entitlement

Line Item 3215-14000-57030-0000-XXXXX-2010-000	Remington Rand Incubator	\$75,000
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### Program Income- Expenditure Accounts

Line Item 3960-14000-57030-0000-XXXXX-0000-000	Middletown Remington Rand Incubator	\$14,834.37
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**BE IT FURTHER RESOLVED:** That the Mayor, as Chief Executive Officer of the City of Middletown, is hereby authorized to submit the *Consolidated Plan* amendment and the *2011 Annual Action Plan* to access the \$380,268 in CDBG entitlement funding and program income; and,

**AND BE IT FURTHER RESOLVED:** That the Consolidated Plan may be updated and amended as necessary to reflect Community Development Block Grant programs approved by the Common Council and changing priorities of present and future potential grant recipients.

**FINANCIAL IMPACT:** The CDBG program allows for 20% of the entitlement amount to fund program administration which is used to offset the salary and operating costs to run the program. Staff time to over see these projects are fund with an \$76,000 reimbursement to the City through the CDBG program.

**Agenda Item** **10-8**

Councilman Santangelo reads and moves for approval agenda item 10-8; his motion is seconded by Councilman Pessina. The Chair, seeing no discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously.

<b>Resolution No.</b>	<b>File Name</b>	<b>Description</b>

91-11

fd2011waivebidforbalustrade.doc

Approving a bid waiver for competitive bidding in accordance with Section 78-8 of the Middletown Code of Ordinances for the Fire Department to purchase balustrades required by the Historical Society for the Main Street Station from Kronenberger and Sons in the amount of \$21,950; approving a new line item in the Fire CNR entitled Balustrade and approving a transfer from CNR line item 2040-50300-79533-2011 Major Facility Repairs into the newly created line.

**(Approved)**

**Whereas**, in 2011, the balustrades on the roof of the Middletown Fire Department were rotten and falling down onto the street and

**Whereas**, the building is historical and needs to have balustrades appropriate as deemed required by the Historical Society and

**Whereas**, Middletown Fire Department received pricing for repairs from Kronenberger and Sons for refabrication of the wood balustrades located on the roof of the Middletown Fire Department at 533 Main Street and

**Whereas**, the price quoted is \$19,950.00 to be paid out of MFD's CNR monies and

**Whereas**, in addition to the quoted price, \$2,000.00 will be added to cover erection of staging equipment for the purpose of accessing the roof and

**Whereas**, Chief Ouellette has met with the Standardization Committee on May 6, 2011 and they have approved a bid waiver and

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** that in accordance with Chapter 78-8 of the Middletown Code of Ordinances, the competitive bidding requirement is hereby waived to allow Kronenberger and Sons to make improvements and repairs to the Middletown Fire Department in the amount of \$21,950.00

**BE IT FURTHER RESOLVED:** that a new line item be created in the Fire CNR entitled Balustrade and that \$21,950.00 be transferred from line item 2040-50300-79533-2011 (Major facility repairs) into the new line item.

**Fiscal Impact:** There will be no fiscal impact on the budget for this year or next year; money will be transferred in the current CNR to pay for the repairs.

**Agenda Item                                  10-9**

Removed from the agenda at the beginning of the meeting.

**Agenda Item                                  10-10**

Councilman Bauer reads and moves for approval agenda item 10-10; his motion is seconded by Councilman Pessina.

Seeing no discussion, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter is approved unanimously with one absent and not voting.

**Resolution No.                                  92-11**  
**File Name                                      wssewercnrbudgetfy11-12.doc**  
**Description                                  Approving the Sewer Department Capital Non-Recurring Budget for**  
**fiscal year 2011-2012 with items as listed in the resolution totaling**  
**\$360,000.**

**(Approved)**  
  
BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the following Sewer Capital Non-Recurring (CNR) Budget for FY 11/12 for the Sewer Department be established as follows:

Sewer CNR Y 11/12	
Description	Amount
Pump Station Rep/Repl/Imp	\$75,000
WPCF Rep/Repl/Imp	\$100,000
Sewers Various Locations	\$100,000
Building Maintenance	\$40,000
Outside Maintenance Equipment	\$15,000
Office Equipment	\$10,000
Misc. Equipment	\$20,000
<b>TOTAL</b>	<b>\$360,000</b>

Fiscal Impact: Funding already approved in FY 11/12 Operating Budget.

**Agenda Item                                  10-11**

Councilman Bauer reads and moves for approval agenda item 10-11; his motion is seconded by Councilman Pessina.

Councilman Bauer states he would like to give the Council an update. First, the money they authorized for Water and Sewer for a complete capital review is underway and the CNR budget is transitional and will have a better understanding and direction for this department for the next CNR budget. There is a project called water meter authorization for \$200,000 and this will get every residential meter a radio meter for remote reading and should help reduce transitional errors and help with billing and should show savings when it is in place. It is a four year project.

The Chair, seeing no further discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with one absent.

**Resolution No.                                  93-11**

File Name

Description

wsCNRbudgetwaterfy11-12.doc

Approving the Water Department Capital Non-Recurring Budget for fiscal year 2011 – 2012 with items as listed in the resolution totaling \$850,000.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the following Water Capital Non-Recurring (CNR) Budget for FY 11/12 for the Water Department be established as follows:

Water CNR FY 11/12	
Description	Amount
Water Distribution System- Rep/Repl/Improv	\$145,000
Hydrants - Rep/Repl/Improv	\$70,000
Water Treatment /Pump Stat - Rep/Repl/Improve	\$165,000
Vehicle Replacement -51W - Water Treatment	\$25,000
Well Redevelopment	\$100,000
Building Maintenance - Rep/Repl/Imp	\$60,000
Office Equipment	\$10,000
Misc Equipment	\$25,000
Reservoir Weed Control	\$50,000
Water Meter Automation	\$200,000
TOTAL	\$850,000
Fiscal Impact: Funding already approved in FY 11/12 Operating Budget.	

Agenda Item

10-12

Councilman Serra reads and moves for approval agenda item 10-12; Councilman Pessina seconds the motion.

Councilman Pessina states Councilman Serra will attest that a year ago he brought it forward a year ago; he could not understand why that road was not constructed. As Deputy Chief, he attended several meetings about emergency access to get into and out of the MHS property and as he looked at it for security purposes why it didn't happen. It has been on the agenda of the Public Safety Commission and he got updates from Councilman Serra and Loffredo and the Fire Chief. He commends Lee Osborne for the work and Councilman Serra, Loffredo, and Bibisi for sticking with this. He thinks what would happen if emergency vehicles could not get in or out. He looks forward to opening that road.

Councilman Serra wants everyone to know that the emergency access road was not officially removed from the plans. Planning and Zoning never acted on it, nor Inland/Wetlands nor the State Department of Education and the third committee never acted on it. We had to do this. The funds are available to get this done as the Chair made us aware to protect kids and citizens in case emergency vehicles have to get to the school.

Councilman Faulkner states he knows this contractor comes up quite a bit and wants to raise awareness for these bid waivers that they should allow for minority contractors to be involved especially for these construction projects. He wants to raise awareness there.

Councilman Bibisi commends Lee Osborne, the Chair who diligently exhausted every measure on this road and it finally comes to fruition having public works designing it for us. It will provide the proper access. He appreciates his diligence on this plan.

The Chair calls for the vote on this matter and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously, with one absent.

The Chair commends and thanks the Building Committee for getting this done. The first graduation, traffic was tied up for 40 minutes. Students were proceeding to abandon vehicles to get there on foot and if we needed an ambulance, we couldn't have done it. This is important and he is glad it is getting done. I know you had obstacles and who caused them, one of our favorite corporations, and he thanks everyone on the Building Committee for insisting it happen and the Council for approving this tonight.

Ordinance No.

File Name

Description

94-11

pwmhsemergencyaccessroadbidwaiver.doc

Approving the waiving of the competitive bidding requirement in accordance with Section 78-8 of the Middletown Code of ordinances to award the construction of the emergency access road at Middletown High School to DeRita Construction at the cost of \$129,106 and not to exceed \$155,000.

(Approved)

**Whereas**, an emergency access road to Middletown High School must be constructed; and

**Whereas**, the road initially designed was problematic for CL&P due to easements, power lines and poles; and

**Whereas**, an agreement was reached between the City and CL&P but the road construction will now be twice as long as originally planned; and

**Whereas**, DeRita Construction was the original site contractor on the job and is familiar with the landscape, environmental conditions and needs of the project; and

**Whereas**, our City Engineering Department last year projected costs at \$125,000; and

**Whereas,** DeRita Construction submitted a bid of \$129,106, which is in line with the Engineering Department's estimated costs; and

**Whereas,** the Middletown High School Building Committee voted unanimously to have DeRita Construction build the access road at a cost of \$129,106 and not to exceed \$155,000 to account for a contingency; and

**Whereas**, funds are available in the Middletown High School Building project to absorb this cost; and

**Whereas**, the Standardization Committee voted 2 to 1 in favor of approving a bid waiver to award the contract to DeRita Construction due to the reasonable amount bid and to ensure the project will be completed by the start of school in September 2011.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That a bid waiver, in accordance with Section 78-8 of the Middletown Code of Ordinances, be approved to award the road construction to DeRita Construction to build the emergency access road at Middletown High School at a cost of \$129,106.00 and not to exceed \$155,000.

## FINANCIAL IMPACT STATEMENT

The construction of the emergency access road will be paid with the bond funds for the Middletown High School project.

Agenda Item	10-13
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Councilman Klattenberg reads and moves for approval agenda item 10-13; his motion is seconded by Councilman Pessina.

Councilman Drew states we did not vote on 10-12; the Chair states yes, his comments were after the vote. The Clerk states the vote was called. The Chair states the ordinance was moved and seconded.

## Motion to Amend

Councilman Serra states he has an amendment adding the words, after establishment, "of a \$99 fine for each and every month not in compliance." Councilman Bibisi seconds this motion. The Chair states as a motion to amend, it has been moved and seconded and calls for the vote. It is unanimous to amend with eleven aye votes; the Chair states the amendment passes unanimously.

There is no discussion. The vote is called and it is unanimous to approve with eleven aye votes. The Chair states the ordinance is adopted unanimously with one absent and not voting. The Chair states this is a good approach and gives us something less than a draconian solution of shutting a restaurant down. This is an intermediate method of enforcement and will eventually get expensive. This is an excellent move by the proponents.

Ordinance No.	File Name	Description
1000	1000	1000
1001	1001	1001
1002	1002	1002
1003	1003	1003
1004	1004	1004
1005	1005	1005
1006	1006	1006
1007	1007	1007
1008	1008	1008
1009	1009	1009
1010	1010	1010
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**08-11**

sec248-14revised.doc

Approving the amending of Section 248-14, subsections R and S of Chapter 248 of the Middletown Code of Ordinances which discusses Enforcement and Permits regarding Fats, oil and grease for local restaurants.

**(Amended and Approved)**

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN  
that subsections R and S of Section 248-14 of Chapter 248 of the Middletown Code of  
Ordinances be amended to read as follows:

**§ 248-14. Fats, oil and grease.**

R. Enforcement. In the event that a FSE fails to **install or maintain an approved** grease removal device as required in this chapter, the FSE shall be given a ten day notice to **install or** perform the maintenance required by this chapter on the grease removal device. If after the ten day notice, the grease removal device is not **installed or serviced**, the City may order the shut down of sanitary sewer service to the FSE, leading to the possible closure of the establishment, **of a \$99 fine for each and every month not in compliance** and right to pursue reimbursement for maintenance or cleanup. **The shutdown procedure will follow the requirements of DPUC regulations §16-3-100 et seq. for termination of water service.**

S. Permits. All class III and class IV restaurants [should] **must** obtain a FOG Permit. FOG permits are non-transferable.

**Agenda Item** **10-14**

Councilman Drew reads and moves for approval agenda item 10-14; his motion is seconded by Councilman Pessina. Councilman Drew notes that it was brought to Ordinance Study to give the Park and Recreation Committee latitude regarding a baseball tournament that comes to our City. It is a solid step and gives Park and Recreation latitude to set a competitive fee structure and gives us the opportunity to vet all those fees. He urges the Council to support this.

Councilman Bauer asks through the Chair to the maker of the motion, for personal clarification, your statement is if there is a negotiation and there is a financial impact that is less than our cost it will come to the Council for approval. Councilman Drew responds he believes it will have to. All the fees need Council approval. Councilman Serra states what this does, historically the last 8-10 years this is how we did it and being on the commission, we had this flexibility and the individuals who benefit from the functions, helped us out with donations to cover the full cost of our services. Some individuals committed but didn't come through. Now, the individuals that benefit come and sponsor some of the money to lower our cost. Councilman Pessina states that Councilman Drew and myself attended a CIAC meeting and American Legion and reps and we were worried about the fact to have those tournaments in our City because of the economic impact and it was through cooperative efforts of Director Santostefano and various members of the Park and Recreation Commission to move this forward and Councilman Drew with coming up with the language that night. This is the right decision.

The Chair, seeing no discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously.

Ordinance No.  
File Name  
Description

09-11  
Sec214-38revised6-11.doc  
Approving amending Section 214-38 of Chapter 214 of the Middletown Code of ordinances regarding fees for use of Palmer Field and providing for the Park and Recreation Commission to negotiate the tournament fees.

(Approved)

Be it ordained by the Common Council of the City of Middletown: That 214-38 of the Middletown Code of Ordinances be amended to read as follows:

§ 214-38. Fees for use of Palmer Field.

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

LOCAL – Any team or person, as define herein, residing, located, organized or existing within the boundaries of the City of Middletown, including non-resident taxpayers.

NON-LOCAL – Any team or person, as defined herein, residing, located, organized or existing outside of the boundaries of the City of Middletown.

PERSON -- Any individual, organization, trust, foundation, group, association, partnership, corporation, society or any combination of them, whether principal or agent.

USER FEE(S) and/or FEE(S) – The dollar amount as established and outlined within the section. User fee(s), and/or fee(s), are not negotiable and cannot be waived[.], **provided however, the Parks & Recreation Commission may negotiate the tournament fee(s) set out herein.**

B. Any person may use Palmer Field for the appropriate uses approved by the Parks and Recreation Commission after registering with the Middletown Parks and Recreation Department, signing a hold harmless agreement, providing sufficient evidence of the insurance required and approval by the Director of Parks and Recreation or his/her duly authorized designees, and paying the fees as hereinafter set forth.

C. The Director of Parks and Recreation or his duly authorized designee, subject to the approval of the Mayor, shall have the authority to determine when the spring use of Palmer Field will commence and the authority to suspend field use at any time during the year.

D. No practice games, team practices, and/or intersquad scrimmage shall be held at Palmer Field.

E. Tournament use fees for Palmer Field are negotiated by the Parks and Recreation Commission.

F. Middletown High School, Vinal Regional Technical High School, and Ahern-Whalen teams are exempt from Palmer Field fees, with the exception of the below listed games:

- 1) All local Middletown high schools are exempt from baseball, and/or soccer game user fees during the normal City of Middletown work week of Monday through Friday, with the exception of weekends and holidays.
- 2) A user fee will be accessed to all local high schools for baseball and soccer games played during the weekend of a recognized holiday.
- 3) All organizations, and high schools, will pay a user fee for football games, regardless or the day of the week.

G. Fees. Fees shall be as follows:



(1) "Weekdays" and "weekends" will be defined as follows:

- a) "Weekday, days" is defined as Monday through Friday, 8:00 a.m. through 4:00 p.m.
- b) "Weekday, nights" is defined as Monday through Friday, 4:00 p.m. through 10:00 p.m.
- c) "Weekend, days" is defined as Saturday, Sunday, and holidays, 8:00 a.m. through 4:00 p.m.
- d) "Weekend, nights" is defined as Saturday, Sunday, and holidays, 4:00 p.m. through 10:00 p.m.

(2) Youth User Fees:

- a) Local Youth. There are no user fees assessed to local youth teams. "Local youth teams" are defined as: Ahern-Whalen baseball, Middletown Youth Soccer, and Middletown Youth Football. However, the Director of Parks & Recreation or his/her duly authorized designee, will have the authority to determine how many games the above-mentioned Youth Leagues, may be allowed to play, at Palmer Field during any given year, as to ensure the safety and integrity of the field, for those utilizing it.

b) Non-Local Youth Use:

- (1) Weekday, day use by non-local Youth baseball or soccer teams: \$200 per game.
- (2) Weekday, night use by non-local Youth baseball or soccer teams: \$350 per game.
- (3) Any day of the week double-header games day or night use by non-local Youth baseball or soccer teams: \$450 per session.
- (4) Weekend, day use by non-local youth baseball or soccer teams: \$250 per game.
- (5) Weekend, night use by non-local youth baseball or soccer teams: \$400 per game.
- (6) Weekday and/or weekend, day use by non-local youth football teams: \$400 per game.
- (7) Weekday and/or weekend, night use by non-local youth football team(s): \$550 per game.

(3) Local and non-local high school user fees:

(a) Local high schools:

- (1) Weekend of holiday, day use by local high school baseball or soccer teams: \$200 per game.
- (2) Weekend or holiday, night use by local high school baseball or soccer teams: \$300 per game.
- (3) Weekend or holiday, double-header games day or night use by local high school baseball or soccer teams: \$450 per session.
- (4) Weekday, weekend, and/or holiday, day use by local high school football teams: \$250 per game.
- (5) Weekday and/or weekend, night use by local high school football team(s): \$350 per game.

(b) Non-local high schools:

- (1) Weekend or holiday, day use by non-local high school baseball or soccer teams: \$350 per game
- (2) Weekend or holiday, night use by local high school baseball or soccer teams: \$450 per game.
- (3) Weekend or holiday, double-header games day or night use by local high school baseball or soccer teams: \$650 per session.
- (4) Weekday, weekend, and/or holiday, day use by non-local high school football teams: \$750 per game.
- (5) Weekday and/or weekend, night use by non-local high school football team(s): \$1,150 per game.

(4) Local and non-local college user fees:

(a) Local College Teams:

- (1) Weekday, day use by local college baseball or soccer teams: \$550 per game.
- (2) Weekday, night use by local college baseball or soccer teams: \$650 per game.
- (3) Weekend, day use by local college baseball or soccer teams: \$650 per game.
- (4) Weekend, night use by local college baseball or soccer teams: \$750 per game.
- (5) Any day of the week double-header games day or night use by local college baseball or soccer teams: \$850 per session.

- (6) Weekday day use by local college football teams: \$750 per game.
- (7) Weekday night use by local college football teams: \$850 per game.
- (8) Weekend day use by local college football teams: \$950 per game.
- (9) Weekend night use by local college football teams: \$1,050 per game.

(b) Non-local college teams:

- (1) Weekday, day use by non-local college baseball or soccer teams: \$650 per game.
- (2) Weekday, night use by non-local college baseball or soccer teams: \$750 per game.
- (3) Weekend, day use by non-local college baseball or soccer teams: \$750 per game.
- (4) Weekend, night use by non-local college baseball or soccer teams: \$850 per game.
- (5) Any day of the week double-header games day or night use by non-local college baseball or soccer teams: \$950 per session.
  - (6) Weekday day use by non-local college football teams: \$850 per game.
  - (7) Weekday night use by non-local college football teams: \$950 per game.
  - (8) Weekend day use by non-local college football teams: \$1,050 per game.
  - (9) Weekend night use by non-local college football teams: \$1,400 per game.
- (5) Local and non-local semi-professional and/or professional user fees:
  - (a) Local semi-professional and/or professional:
    - (1) Weekday, day use by local semi-professional and/or professional baseball or soccer teams: \$500 per game.
    - (2) Weekday, night use by local semi-professional and/or professional baseball or soccer teams: \$650 per game.
    - (3) Weekend, day use by local semi-professional or professional baseball or soccer teams: \$650 per game.
    - (4) Weekend, night use by local semi-professional or professional baseball or soccer teams: \$750 per game.
    - (5) Any day of the week double-header games day or night use by local semi-professional or professional baseball or soccer teams: \$1,150 per session.
    - (6) Weekday and/or weekend, day use by local semi-professional and/or professional football teams: \$1,400 per game.
    - (7) Weekday and/or weekend, night use by local semi-professional and/or professional football teams: \$1,650 per game.
  - (6) Non-local semi-professional and/or professional:
    - (1) Weekday, day use by non-local semi-professional and/or professional baseball or soccer teams: \$600 per game.
    - (2) Weekday, night use by non-local semi-professional and/or professional baseball or soccer teams: \$750 per game.
    - (3) Any day of the week double-header games day or night use by non-local semi-professional or professional baseball or soccer teams: \$1,250 per session.
    - (4) Weekend, day use by non-local semi-professional or professional baseball or soccer teams: \$750 per game.
    - (5) Weekend, night use by non-local semi-professional or professional baseball or soccer teams: \$850 per game.
    - (6) Weekday and/or weekend, day use by non-local semi-professional and/or professional football teams: \$1,500 per game.
    - (7) Weekday and/or weekend, night use by non-local semi-professional and/or professional football teams: \$1,750 per game.

H. Any non-local tournament will be defined by the following language, including but not limited to; "tournament(s), semi-finals, finals, championship series, play-offs, elimination, round robin, and/or world series". In addition to the above mentioned language, non-local tournament will also be defined as; More than one (1) non-local team(s) participating in the event, and/or non-involvement of local Middletown teams.

I. Palmer Field Tournament User Fees:

All tournament games will be based on either a half day user fee, or a full day user fee, as based in the above referenced definition of the section.

(1) Local tournament:

- (a) Weekday day user fee for a half (1/2) day local tournament: \$950.
- (b) Weekday night user fee for a half (1/2) day local tournament: \$1,100.
- (c) Weekday user fee for a full (1.0) day local tournament: \$1,850.
- (d) Weekend day user fee for a half (1/2) day local tournament: \$1,150.
- (e) Weekend night user fee for a half (1/2) day local tournament: \$1,300.
- (f) Weekend full (1.0) day local tournament session user fee: \$2,100.

(2) Non-local tournament:

- (a) Weekday day user fee for a half (1/2) day non-local tournament: \$1,150.
- (b) Weekday night user fee for a half (1/2) day non-local tournament: \$1,300.
- (c) Weekday user fee for a full (1.0) day non-local tournament: \$2,150.
- (d) Weekend day user fee for a half (1/2) day non-local tournament: \$1,350.
- (e) Weekend night user fee for a half (1/2) day non-local tournament: \$1,500.
- (f) Weekend full (1.0) day non-local tournament session user fee: \$2,300.

<b>Agenda Item</b>	<b>11</b>
<b>Description</b>	<b><u>Mayor's Appointments</u></b>
<b>(Approved)</b>	

The Chair reads the Mayor's appointments and asks for a motion to approve. Councilman Drew moves them for approval and his motion is seconded by Councilwoman Kleckowski. There is no discussion. The vote is called and it is unanimous to approve with eleven aye votes. The Chair states the appointments are confirmed unanimously with one Council member absent and not voting.

**Russell Library Board of Trustees:**

Appointment of Ann Buchanan to May 31, 2014  
Appointment of Sowgol Zakarian to May 31, 2014  
Appointment of Hortense Kabel to May 31, 2012

<b>Agenda Item</b>	<b>12</b>
<b>Description</b>	<b>Contingency Fund Transfers</b>

No Contingency Fund Transfers

<b>Agenda Item</b>	<b>13</b>
<b>Description</b>	<b>Questions to Directors on Nonagenda Items</b>

There are no questions to directors for nonagenda items.

**Motion to Adjourn**  
Councilman Klattenberg moves to adjourn and his motion is seconded by Councilman Pessina. There is no discussion and the vote is called. It is unanimous to adjourn and the Chair declares it at 9:16 p.m.

ATTEST:

MARIE O. NORWOOD  
Common Council Clerk